

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Kim Snyder,

Plaintiff,

v.

Case No. 0:21-cv-01049 (JRT/BRT)

UnitedHealth Group, Inc. et al.,

Defendants.

**DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT OR, IN
THE ALTERNATIVE, FOR SUMMARY JUDGMENT**

Defendants UnitedHealth Group, Inc., the Board of Directors of UnitedHealth Group, Inc., David S. Wichmann, the UnitedHealth Group Employee Benefits Plans Investment Committee, and the UnitedHealth Group Employee Benefits Plans Administrative Committee (collectively, "UnitedHealth") respectfully move the Court for an order dismissing the complaint with prejudice in its entirety or, in the alternative, an order granting summary judgment to UnitedHealth on all claims. This motion is made pursuant to Federal Rules of Civil Procedure 12(b)(6) and 56.

This motion is supported by all the files, records, and proceedings herein, including UnitedHealth's supporting memorandum of law and associated declarations.

* * *

Dated: June 23, 2021

O'MELVENY & MYERS LLP

By: /s/ Meaghan VerGow
Meaghan VerGow

Meaghan VerGow, DC Bar No. 977165*
Brian Boyle, DC Bar No. 419773*

O'MELVENY & MYERS LLP

1625 Eye Street, N.W.
Washington, DC 20006-4061
Telephone: (202) 383-5300
Facsimile: (202) 383 5414
mvergow@omm.com
bboyle@omm.com

Deborah A. Ellingboe, MN Bar No. 26216X
FAEGRE DRINKER BIDDLE & REATH LLP
2200 Wells Fargo Center 90 S.
Seventh Street
Minneapolis, Minnesota 55402
Telephone: +1 612 766-8713
Facsimile: +1 612 766-1600
debbie.ellingboe@faegredrinker.com

Counsel for Defendants

* Admitted *pro hac vice*